

STATE OF CALIFORNIA

**CALIFORNIA POLLUTION CONTROL
FINANCING AUTHORITY**

915 Capitol Mall, Room 457
Sacramento, CA 95814
Telephone: (916) 654-5610
Telecopier: (916) 657-4821



July 30, 2012

MEMBERS:

Bill Lockyer, Chairman
State Treasurer

John Chiang
State Controller

Ana J. Matosantos, Director
Department of Finance

EXECUTIVE DIRECTOR:
Michael Paparian

**California Capital Access Program (CalCAP)
Notice of Final Approval of Permanent Regulations**

The California Pollution Control Financing Authority (CPCFA) organized and operating pursuant to Sections 44500 through 44563 of the California Health and Safety Code has adopted the approved regulations after considering all comments, objections, and recommendations regarding the proposed action.

CPCFA amended Section 8070 of Title 4 of the California Code of Regulations (the "Proposed California Capital Access Regulations") concerning the administration of the Capital Access Program for Small Businesses (the "Program"). The Office of Administrative Law approved and filed these adopted regulations with the Secretary of State on July 26, 2012.

As of the date of this letter, all new loans submitted for consideration for enrollment in the Program must meet the regulatory requirements as prescribed in the California Capital Access Program Regulations.

Sincerely,

A handwritten signature in blue ink that reads "Sherri Kay Wahl".

Sherri Kay Wahl
Deputy Executive Director

Attachment: Notice of Approval of Certification of Compliance
Notice of Publication/Regulations Submission

cc: Michael Paparian, Executive Director
Nancee Trombley, CalCAP Manager
Jade Turner-Bond, CPCFA Legal Counsel

SKW:jf

**State of California
Office of Administrative Law**

In re:

California Pollution Control Financing
Authority

Regulatory Action:

Title 4, California Code of Regulations

Adopt sections:

Amend sections: 8070

Repeal sections:

NOTICE OF APPROVAL OF CERTIFICATE OF
COMPLIANCE

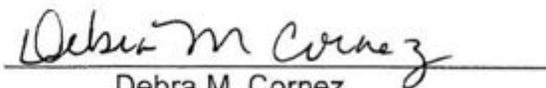
Government Code Section 11349.1 and
11349.6(d)

OAL File No. 2012-0613-06 C

This certificate of compliance makes permanent the prior emergency regulatory action (OAL file no. 2012-0224-02E) that amended the definition section for the California Capital Access Program for Small Businesses. The definition of "Financial Institution" was amended to include microbusiness lenders as defined in section 13997.2 of the Government Code and that required a minimum of four hours of preloan business technical and/or credit assistance to borrowers and a minimum of two hours of postloan assistance each year, and are subject to an audit requirement by its federal or state regulated funding source. This is an effort to conform to new legislation (Stats. 2011, c. 483 (A.B. 901), sec. 2.).

OAL approves this regulatory action pursuant to section 11349.6(d) of the Government Code.

Date: 7/26/2012


Debra M. Cornez
Director

Original: Michael Paparian
Copy: Jillian Franzoia

NOTICE PUBLICATION/REGULATIONS SUBMISSION

CERT

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-09)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2012-0409-02	REGULATORY ACTION NUMBER 2012-0613-06 C	EMERGENCY NUMBER
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FILED
JUN 26 2012
PH 3:23

For use by Office of Administrative Law (OAL) only	
NOTICE	REGULATIONS

2012 JUN 13 A 11:44
OFFICE OF ADMINISTRATIVE LAW

[Handwritten signature]

AGENCY WITH RULEMAKING AUTHORITY California Pollution Control Financing Authority	AGENCY FILE NUMBER (if any)
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A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) California Capital Access Program for Small Businesses	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) 2012-0224-02 E, Z-2012-0409-02 <i>DMC 7-25-2012 per agency</i>
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	ADOPT
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	AMEND
TITLE(S)	REPEAL
4	Title 4 Division 11, Article 7, Section 8070

3. TYPE OF FILING	<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		
	<input checked="" type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)		
	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify) _____		
	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only		

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)
per agency DMC 7-25-2012

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343 & 11346.1(d); Cal. Code Regs., title 1, §100)
 Effective 30th day after filing with Secretary of State
 Effective on filing with Secretary of State
 §100 Changes Without Regulatory Effect
 Effective other (Specify) _____

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify) _____		

7. CONTACT PERSON Jillian Franzoia	TELEPHONE NUMBER (916) 653-3993	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) jfranzoia@treasurer.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>[Signature]</i>	DATE 6/12/12
TYPED NAME AND TITLE OF SIGNATORY Michael Papanian, Executive Director	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

JUL 26 2012

Office of Administrative Law